

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-80059-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

FREDY ALEXANDER AVILA,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon the Report and Recommendation entered by Magistrate Judge Bruce E. Reinhart Following Change of Plea Hearing [ECF No. 31]. On August 11, 2022, Magistrate Judge Reinhart held a Change of Plea hearing [ECF No. 27] during which Defendant pled guilty to the sole count of the Information [ECF No. 18] pursuant to a written plea agreement and factual proffer statement [ECF No. 28]. Magistrate Judge Reinhart thereafter issued a Report recommending that the Court accept Defendant's guilty plea to the Information, that the Court find Defendant to have freely and voluntarily entered his guilty plea, and that the Court adjudicate him guilty of the Information [ECF No. 31]. No party has filed objections to the Report, and the time to do so has expired.

The Court has conducted a review of the record and finds no error in the Report. Therefore, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 31] is **AFFIRMED AND ADOPTED**.
2. The guilty plea entered into by Defendant Fredy Alexander Avila as to the sole count of the Information is **ACCEPTED**.

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3. Defendant Fredy Alexander Avila is adjudicated guilty of the sole count of the Information, which charges him with knowingly and intentionally attempting to possess with intent to distribute a detectable amount of cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C), 21 U.S.C. § 846, and 18 U.S.C. § 2 [ECF No. 18].

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 2nd day of September 2022.

A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record